

**CIVIL MINUTES**

2:11-CV-436

Gascho et al. v. Global Fitness Holdings, LLC

**MOTION HEARING**

**held on Friday, July 7, 2017**

**9:00 a.m.**

**before Chief Judge Edmund A. Sargus, Jr.**

**For Plaintiff: Thomas McCormick, John Kulewicz, Mark Troutman**

**For Defendant: David Owen, Richard Gurbst, Christopher Hogan**

**Court Reporter: Darla Coulter/Allison Kimmel**

**Law Clerk: Ali Lehman**

**Courtroom Deputy: Melissa Saddler**

9:05 a.m. Court addresses all parties.

9:08 a.m. Defendant calls first witness- Mark Bober  
Witness sworn in.  
Direct examination by Mr. David Owen.

10:10 a.m. Recess

10:25 a.m. Cross examination of Mr. Bober by Mr. John Kulewicz.

12:04 p.m. Lunch Recess

1:04 p.m. Continuation of cross exam of Mr. Bober by Mr. Kulewicz.  
No Redirect.

1:15 p.m. Exhibits admitted without objection:

D.Ex. 10- Utah District Court Docket

D.Ex. 11- Amendment #3 to Asset Purchase Agreement

P.Ex. 12- Expert Report of Mark B. Bober  
P.Ex. 13- Exerpts from Mr. Bober's website  
P.Ex. 14- Global Fitness Holdings 2011-2014 Tax Returns  
P.Ex. 15- Year-End Year-Round Tax Planning 2011-2014  
P.Ex. 16- Year-End Year-Round Tax Planning Guide 2014  
P.Ex. 18- Spreadsheet- GFH 2014

Court advised both parties to submit written briefs to the court within one week of today's hearing. Responses will be due one week later.

1:20 p.m. Court recessed.